



Att. Docket No. 004192.P053D

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OFFICE OF PETITIONS PATENT

DAC(D)  
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Min-hwa Chi

Application No.: 09/865,929

Filed: May 24, 2001

For: TRANSISTOR AND LOGIC  
CIRCUIT ON THIN SILICON-ON-  
INSULATOR WAFERS BASED  
ON GATE INDUCED DRAIN  
LEAKAGE CURRENTS

Examiner: Donghee Kang

Art Unit: 2811

Attention: Office of Petitions  
**Mail Stop Petition**  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

PETITION TRANSMITTAL

Dear Sir or Madam:

Transmitted herewith is the following:

- 1) Petition to Accept Late Payment of Issue Fee and Publication Fee Under 37 C.F.R. §1.137(a)
- 2) Check No. 3055 in the amount of \$1,740.00
  - a. \$110.00 for Petition to Accept Late Payment of Issue Fee and Publication Fee Under 37 C.F.R. §1.137(a)
  - b. \$300.00 for Publication Fee
  - c. \$1,300.00 for Issue Fee
  - d. \$30.00 for 10 Advance copies
- 3) Issue Fee Transmittal in duplicate

- 4) Copy of returned envelope (Exhibit A)
- 5) Copy of previous prepared postcard (Exhibit B)

The Examiner is invited to telephone the undersigned representative if the Examiner believes that an interview might be useful for any reason.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN

Date: August 25, 2003

Jan Carol Little  
Jan Carol Little  
Reg. No.: 41,181

Customer No. 008791  
12400 Wilshire Boulevard,  
Seventh Floor  
Los Angeles, California 90025  
206-292-8600

**FIRST CLASS CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage in an envelope addressed to **Mail Stop Petition**, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on: August 25, 2003

Date of Deposit

Christina Fernandez

Name of Person Mailing Correspondence

Christina Fernandez  
Signature

August 25, 2003  
Date



#10

Patent Docket No. 004192.P053D

PATENT

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Min-hwa Chi )  
Application No.: 09/865,929 )  
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INSULATOR WAFERS BASED )  
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LEAKAGE CURRENTS )

Examiner: Donghee Kang OFFICE OF PETITIONS  
Art Unit: 2811

Attention: Office of Petitions  
**Mail Stop Petition**  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**PETITION TO ACCEPT LATE PAYMENT OF ISSUE FEE AND PUBLICATION FEE**  
**UNDER 37 C.F.R. §1.137(a)**

Dear Sir or Madam:

Applicant in the above-identified application has failed to timely pay the Issue Fee and Publication Fee, which were due August 18, 2003. Applicant submits the present Petition, including Remarks, and in papers filed herewith the Issue Fee, Publication Fee and Petition Fee. Applicant respectfully requests that the Petition be granted and late payment of the Issue Fee and Publication Fee be accepted.

Kindly consider the following Remarks, including a Statement Showing Unavoidable Delay.

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004192.P053D  
Serial No. 09/865,929

Examiner: Donghee Kang  
Art Unit: 2811

## REMARKS

35 U.S.C. §151 authorizes the acceptance of a delayed payment of the Issue Fee if the Issue Fee is submitted and the delay in payment has been shown to have been unavoidable. Applicants respectfully submit that the delay in payment of the Issue Fee was unavoidable. (See also MPEP §703(c) III.A.1.)

### Statement Showing Unavoidable Delay

Applicant's representative's employee deposited the proper Issue Fee and Publication Fee with the United States Postal Service on August 18, 2003, which was the due date for timely payment. Unfortunately, insufficient postage (37 cents rather than 59 cents) was placed on the envelope and such error caused the Issue Fee and Publication Fee payment to be delayed.

Applicant's representative has in place a business routine for determining the amount of postage necessary for mail and most errors are avoided using this procedure. For example, employees routinely use a postage meter to weigh the mail and automatically affix postage. Additionally, there are specific examples posted on the wall in the mailroom of the extra postage required for a particular package. The business routine also requires employees to enter the total amount of postage per package in a log. The following day, August 19, 2003, Applicant's representative's employee's supervisor reviewed the log entries in accordance with our business routine and discovered the error. The envelope containing the insufficient postage and the Issue Fee and Publication Fee was returned to us on August 20, 2003.

The employee was sufficiently trained in the use of the postage meter and was aware that extra postage may be required for a particular package. Reliance on the employee represented an exercise in due care. Such error in the performance of this clerical function was unforeseen from a trustworthy and reliable employee.

A copy of the original envelope evidencing that the Issue Fee and Publication Fee was deposited on August 18, 2003 and subsequently returned is enclosed (Exhibit A). A copy of the postcard is also enclosed (Exhibit B).

### CONCLUSION

The entire delay in paying the Issue Fee and Publication Fee from the due date of the Issue Fee and Publication Fee until the date of the present Petition therefore was unavoidable. Accordingly, Applicants respectfully request that the late payment of the Issue Fee and Publication Fee be accepted and application be revived on the grounds of unavoidable delay.

The Examiner is invited to telephone the undersigned representative if the Examiner believes that an interview might be useful for any reason.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN

Date: 8/25/03

  
Jan Carol Little  
Reg. No.: 41,181

Customer No. 008791  
12400 Wilshire Boulevard,  
Seventh Floor  
Los Angeles, California 90025  
206-292-8600

### FIRST CLASS CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage in an envelope addressed to **Mail Stop Petition**, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on: August 25, 2003

Date of Deposit

Christina Fernandez

Name of Person Mailing Correspondence

  
Signature

August 25, 2003  
Date

Blakely Sokoloff Taylor & Zafman  
601 Union Street, Suite 3000  
Seattle, WA 98101-1365

# FIRST CLASS MAIL

**BLAKELY SOKOLOFF TAYLOR & ZAFMAN**

A LIMITED LIABILITY PARTNERSHIP INCLUDING LAW CORPORATIONS

EXHIBIT A

RECEIVED

SEP 02 2003

OFFICE OF PETITIONS

Mail Stop: Issue Fee  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22304

**Return to Sender**  
**Additional 12¢ Required for Nonmachinable Surcharge**  
on Postal Service letters:  
a. Square letters: 6-1/8 inches, or length exceeds 11-1/2 inches, or thickness exceeds 1/4 inch; divided by height is less than 1.3 or more than 2.5;  
b. Height (dimension parallel to the address) divided by height is less than 1.3 or more than 2.5;  
c. Length (dimension parallel to the address) divided by height is less than 1.3 or more than 2.5;  
d. Clasp, string, button, or similar closure device, or thickness exceeds 1/4 inch; divided by height is less than 1.3 or more than 2.5;  
e. Parallel to the shorter dimension, remove this label, and remail. Label too, July 2002



## EXHIBIT B

Serial/Patent No.: <b>09/865,929</b>	Filing/Issue Date: <b>May 24, 2001</b>
Client: <b>Taiwan Semiconductor Mfg. Corp.</b>	
Title: <b>TRANSISTOR AND LOGIC CIRCUIT ON THIN SILICON-ON-INSULATOR BASED ON GATE INDUCED DRAIN</b>	
BSTZ File No.: <b>004192_P053D</b>	Atty/Secty Initials: <b>JCL:cff</b>
Date Mailed: <b>08/18/2003</b>	Docket Due Date: <b>08/18/2003</b>

The following has been received in the U.S. Patent & Trademark Office on the date stamped hereon:

<input type="checkbox"/> Amendment/Response (____ pgs.)	<input type="checkbox"/> Express Mail No. _____	<input type="checkbox"/> Check No. <b>3047</b>
<input type="checkbox"/> Appeal Brief (____ pgs.) (in triplicate)	<input type="checkbox"/> _____ Month(s) Extension of Time	Amt: <b>\$1,630.00</b>
<input type="checkbox"/> Application - Utility (____ pgs., with cover and abstract)	<input type="checkbox"/> Information Disclosure Statement & PTO-1449 (____ pgs.)	<input type="checkbox"/> Check No. _____
<input type="checkbox"/> Application - Rule 1.53(b) Continuation (____ pgs.)	<input checked="" type="checkbox"/> Issue Fee Transmittal ( <b>IN DUPLICATE</b> )	Amt: _____
<input type="checkbox"/> Application - Rule 1.53(b) Divisional (____ pgs.)	<input type="checkbox"/> Notice of Appeal	
<input type="checkbox"/> Application - Rule 1.53(b) CIP (____ pgs.)	<input type="checkbox"/> Petition for Extension of Time	
<input type="checkbox"/> Application - Rule 1.53(d) CPA Transmittal (____ pgs.)	<input type="checkbox"/> Petition for _____	
<input type="checkbox"/> Application - Design (____ pgs.)	<input checked="" type="checkbox"/> Postcard	
<input type="checkbox"/> Application - PCT (____ pgs.)	<input type="checkbox"/> Power of Attorney (____ pgs.)	
<input type="checkbox"/> Application - Provisional (____ pgs.)	<input type="checkbox"/> Preliminary Amendment (____ pgs.)	
<input type="checkbox"/> Assignment and Cover Sheet	<input type="checkbox"/> Reply Brief (____ pgs.)	
<input checked="" type="checkbox"/> Certificate of Mailing	<input type="checkbox"/> Response to Notice of Missing Parts	
<input type="checkbox"/> Declaration & POA (____ pgs.)	<input type="checkbox"/> Small Entity Declaration for Indep. Inventor/Small Business	
<input type="checkbox"/> Disclosure Docs & Orig & Copy of Inventor's Signed Letter (____ pgs.)	<input type="checkbox"/> Transmittal Letter, in duplicate	
<input type="checkbox"/> Drawings: _____ # of sheets includes _____ figures	<input type="checkbox"/> Fee Transmittal, in duplicate	
<input type="checkbox"/> Other: _____		